

 <p><b>Financial Assistance Award</b></p> <p><b>DENALI COMMISSION</b>          510 L Street, Suite 410          Anchorage, Alaska 99501          (907) 271-1414 (phone)          (907) 271-1415 (fax)          www.denali.gov</p>		<b>Award Number</b>	01537-00																																																																													
		<b>Award Title</b>	Village Road System and Dust Control Project																																																																													
		<b>Performance Period</b>	November 1, 2017 through December 31, 2018																																																																													
<b>Authority</b> 112 Stat 1854	<b>CFDA Number</b> 90.100	<b><u>Recipient Organization &amp; Address</u></b> New Stuyahok Village PO BOX 49 New Stuyahok, AK 99636-0049  <b>Phone:</b> 9076933173 <b>Recipient DUNS #</b> 618337492 <b>TIN #</b> 920107411																																																																														
<b>Denali Commission Finance Officer Certification</b>																																																																																
<b><u>Cost Share Distribution Table</u></b> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th rowspan="2">Accounting Code</th> <th colspan="2">New Funding</th> <th colspan="2">Prior Period Funding</th> <th rowspan="2">Total</th> </tr> <tr> <th>Denali Commission</th> <th>Other Contributors</th> <th>Denali Commission</th> <th>Other Contributors</th> </tr> </thead> <tbody> <tr> <td>95670000</td> <td>\$189,965.00</td> <td></td> <td>\$0.00</td> <td></td> <td>\$189,965.00</td> </tr> <tr> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> </tr> <tr> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> </tr> <tr> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> </tr> <tr> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> </tr> <tr> <td>New Stuyahok Local Match</td> <td></td> <td>\$43,025.00</td> <td></td> <td>\$0.00</td> <td>\$43,025.00</td> </tr> <tr> <td></td> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td></td> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td></td> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td></td> <td></td> <td>\$0.00</td> <td></td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td><b>Total</b></td> <td><b>\$189,965.00</b></td> <td><b>\$43,025.00</b></td> <td><b>\$0.00</b></td> <td><b>\$0.00</b></td> <td><b>\$232,990.00</b></td> </tr> </tbody> </table>					Accounting Code	New Funding		Prior Period Funding		Total	Denali Commission	Other Contributors	Denali Commission	Other Contributors	95670000	\$189,965.00		\$0.00		\$189,965.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	New Stuyahok Local Match		\$43,025.00		\$0.00	\$43,025.00			\$0.00		\$0.00	\$0.00			\$0.00		\$0.00	\$0.00			\$0.00		\$0.00	\$0.00			\$0.00		\$0.00	\$0.00	<b>Total</b>	<b>\$189,965.00</b>	<b>\$43,025.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$232,990.00</b>
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This Financial Assistance Award approved by the Federal Co-Chair of the Denali Commission constitutes an obligation of federal funding.																																																																																
<b>Signature of Authorized Official - Denali Commission</b>  Electronically Signed		<b>Typed Name and Title</b> Mr. Jay Farmwald Director of Programs		<b>Date</b>  01/08/2018																																																																												

## AWARD ATTACHMENTS

New Stuyahok Village

01537-00

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1. Terms and Conditions
2. Attachment A
3. Budget and Funding Summary

**Financial Assistance Award Terms and Conditions  
Between the Denali Commission and New Stuyahok Traditional Council (NSTC)  
For Village Road System and Dust Control Project  
Award No. 1537**

**1. Project Summary**

- a. Scope of Work: Improve and upgrade all gravel road surfaces (approximately 14,400 lineal feet) in New Stuyahok, Alaska.
- b. Deliverables: An upgraded road system.
- c. Budget: The Commission is making \$189,965 available for the project via this Financial Assistance Award (FAA). This amount includes all direct, indirect, and pre-award costs (if any) authorized pursuant to 2 CFR 200.458. All Commission funding is intended to be used for the scope of work identified in this FAA only. Any funds remaining after the full scope of work has been completed shall be returned to the Denali Commission consistent with 2 CFR 200.319.

The local match required for this FAA in the amount of \$43,025 is being provided by the NSTC.

- d. Delivery Method: NSTC will perform the road improvements using local resources.
- e. Performance Period: The Period of Performance for this FAA is November 1, 2017 through December 31, 2018. In accordance with 2 CFR 200.309 Recipients can only incur obligations or costs against this FAA during the Period of Performance, unless specifically authorized in the Special Provisions (Section 14 of this document). If a project cannot be completed within the approved Period of Performance, an extension request must be made in accordance with the Commission's *Recipient Guidelines and Requirements* (RGR) document dated July 2015, available at [www.denali.gov](http://www.denali.gov).

More detailed information on scope, deliverables, budget, funding, project delivery method and/or management plan, schedule and key milestones are included in Attachment A dated 20 November 2017.

**2. Project Reporting and Commission Site Visits**

Progress reports and a close-out report are required under this FAA. Progress Reports shall be submitted at the frequency stipulated in the Special Provisions. The Closeout Report shall be completed within 90-days of the end of the Period of Performance. All reports must be submitted using the Denali Commission's on-line Project Database System, available at [www.denali.gov/dcpdb](http://www.denali.gov/dcpdb).

Commission staff or agents of the Commission may make visits to the project site and/or home office to monitor progress during and/or after the Period of

Performance. The Recipient shall coordinate and make information available as necessary to facilitate any such site visits.

Refer to the *Recipient Guidelines and Requirements* document for further information related to reports and site visits.

### **3. Payments**

Payments under this FAA will be made in accordance with 2 CFR 200.305 by electronic transfer in response to a Standard Form 270 (SF-270) "Request for Advance or Reimbursement", submitted by the Recipient. At a minimum, all 270's must include summary cost information on labor, materials, contracts/consultants, and indirect costs. Detailed documentation is required for any single expenditure greater than \$50,000. If Pre-award Costs and/or Advance Payments are authorized under this FAA, the Special Provisions will indicate so. Requests for reimbursements may be made as needed. Refer to the *Recipient Guidelines and Requirements* document for further information about submitting SF-270's.

### **4. Modifications**

In accordance with 2 CFR 200.308, the Recipient shall report deviations in project scope, budget, delivery method, management plan, schedule, or changed site conditions, and request prior approvals from the Program Manager. The Recipient shall also submit written requests to the Program Manager for the replacement of Key Staff identified in the Special Provisions. Refer to the *Recipient Guidelines and Requirements* document for further information about modifying a Financial Assistance Award.

### **5. Financial Management, Record Keeping, Internal Controls, and Audits**

The Recipient must have financial management and record keeping systems that are consistent with 2 CFR 200.302. If the Recipient is a State organization it must expend and account for FAA funds in accordance with applicable State laws and procedures for expending and accounting for the State's own funds.

The Recipient must establish and maintain effective internal controls with respect to this FAA that are consistent with 2 CFR 200.303.

In accordance with 2 CFR 200.501, Recipients that expend \$750,000 or more of federal funds in a year shall have a single or program-specific audit conducted for that year.

Refer to the *Recipient Guidelines and Requirements* document for further information about financial management, record keeping, internal controls and audits.

## **6. Direct and Indirect Costs**

All direct costs must be allowable and reasonable. Indirect costs must be allocable based on accepted accounting policies and practices. Indirect costs must be specifically included as a line item or identified with appropriate notes in the approved FAA budget. Refer to 2 CFR 200 Subpart E (Cost Principles) and the *Recipient Guidelines and Requirements* document for further information on direct and indirect costs.

## **7. Sub-Awards and Contracts**

All sub-awards and contracts issued by the Recipient under this FAA must comply with 2 CFR 200.331 and Appendix II to 2 CFR 200. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

## **8. Acknowledgement of Support**

The Recipient shall name the Denali Commission as a financial contributor and project/program partner in all media correspondence related to the work supported by this FAA. If Commission funds are used for construction, the Recipient shall also display a sign at the construction site that acknowledges the Commission's support. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

## **9. Real and Personal Property**

In accordance with 2 CFR 200.311, 313, and 316 the Denali Commission may require the Recipient to execute a security interest or other public notice of record to indicate that real or personal property acquired or improved, in whole or in part, with Federal funds is subject to a Federal interest. Any such requirements under this FAA, including post project reporting in accordance with 2 CFR 200.329, will be stipulated in the Special Provisions.

## **10. Conflict of Interest**

In accordance with 2 CFR 200.112, the Recipient must disclose in writing any potential conflicts of interest to the Commission. In addition, 2 CFR 200.318 requires that Recipients maintain written standards of conduct covering conflicts of interest and governing the performance of their employees engaged in the selection, award, and administration of contracts. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

## **11. Denali Commission Policies**

Recipients may be required to comply with certain published Denali Commission policies which can be found in the *Recipient Guidelines and Requirements* document. Applicable policies are referenced in the Special Provisions of this FAA, and specific requirements/deliverables (if any) are stipulated in Appendix A.

## **12. Laws and Regulations**

Recipients are required to comply with all applicable Federal laws and regulations. General categories of potentially applicable laws and regulations are summarized below. Refer to the *Recipient Guidelines and Requirements* document for further information on specific laws and regulations that may apply.

- a. Debarment and Suspension
- b. Whistle-blower Protection
- c. Non-Discrimination
- d. Lobbying and Propaganda
- e. Environmental
- f. Drug-Free Workplace
- g. Travel
- h. Human Rights
- i. Animal Welfare
- j. Executive Compensation

## **13. Other Provisions**

- a. The United States expressly disclaims any and all responsibility or liability to the Recipient or sub-recipients for the actions of the Recipient or sub-recipients resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this FAA, including sub-awards, contracts, or sub-contracts issued in connection with this FAA.
- b. To the maximum extent practicable, considering applicable laws, the Recipient shall accomplish the project contemplated by this FAA using local Alaska firms and labor.
- c. All terms and conditions contained in this FAA apply to any sub-recipient under this FAA.
- d. Failure to comply with the provisions of this FAA or maintain satisfactory performance may result in additional FAA conditions pursuant to 2 CFR 207. This includes but is not limited to: temporarily withholding of payments pending the correction of the deficiency; disallowance of project costs; wholly or partially suspending or terminating the FAA. In addition, failure to comply with the provisions of this FAA may also have a negative impact on the Recipient's eligibility for future Federal awards.

#### 14. Special Provisions

Progress Reports: Shall be submitted on a quarterly basis. The first reporting period is January 1, 2018 to March 31, 2018, and quarterly thereafter in accordance with the Commission's *Recipient Guidelines and Requirements*.

Pre-award Costs: N/A

Key Staff: William C. Peterson, Jr., Mary Olympic/Alternate Financial Contact

Advance Payments: N/A

Insurance: The Denali Commission shall be named as an Additional Insured on the Liability Insurance Policies of NSTC.

Cooperative Agreement: The Recipient agrees to cooperate and collaborate with the Denali Commission during the project. The Commission will participate in those specific activities stipulated in Attachment A.

NSTC shall be responsible for all site control issues.

#### 15. Program Manager, Financial Manager & Other Contact Information

Denali Commission	NSTC
Tom Wolf Program Manager 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-5232 Fax: 907-271-1415 E-mail: twolf@denali.gov	William C. Peterson, Jr. Project Manager P.O. Box 49 New Stuyahok, Alaska 99636 Phone: 907-693-3173 Fax: 907-693-3179 Email: newstutribe@hotmail.com
Janet Davis Grants Management Officer 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-3036 Fax: 907-271-1415 E-mail: jdavis@denali.gov	William C. Peterson, Jr. Financial Contact P.O. Box 49 New Stuyahok, Alaska 99636 Phone: 907-693-3173 Fax: 907-693-3179 Email: newstutribe@hotmail.com

***Financial Assistance Award 1537  
Between the Denali Commission and New Stuyahok Traditional Council (NSTC)  
For Village Road System and Dust Control Project – New Stuyahok, Alaska  
Attachment A  
20 November 2017***

- a. Scope of Work: Improve and upgrade all gravel road surfaces (approximately 14,400 lineal feet) in New Stuyahok, Alaska.

The project entails regrading and then surfacing the existing 12-foot wide roads with crushed gravel that has been treated with a dust control palliative. Gravel for the road improvements will be from a locally available source. NSTC will rent a gravel crusher to prepare the material for road surfacing.

No permits are anticipated to be needed. If necessary, NSTC will obtain any and all permits.

NSTC shall supply NEPA documentation consistent with the Denali Commission policies and procedures published in 45 CFR Part 900 on October 1, 2016. The documentation shall cover the road and drainage improvements and all other related construction supported via this Financial Assistance Award.

- b. Deliverables:

- 14,400 lineal feet of road surface improvements including application of a dust control palliative
- A final report detailing the entire project and outcomes

- c. Budget: See attached Budget and Funding Summary dated 20 November 2017.

- d. Delivery Method: NSTC will perform the road improvements by force account using local resources. The project will be managed by the NSTC Tribal Administrator. The heavy equipment needed will be provided by the City of New Stuyahok as an in-kind contribution to the project. The equipment operators will be City of New Stuyahok employees but they will be paid via this award. All work will be completed in accordance with City and NSTC standards. The City will maintain the roads following project completion.

- e. Schedule: Key project milestones are summarized below.

Order dust palliative for spring 2018 delivery: January, 2018

Rental Gravel Crusher is reserved for spring 2018 delivery: January, 2018

Begin road improvement work: June, 2018

Complete road and drainage work: September, 2018

Award Closeout: December 31, 2018



BUDGET				
Line	Item	Provided By	Amount	Basis/Notes <sup>c</sup>
1	Road System Improvements			
2	Local Labor	New Stu	\$22,080	4 laborers x 160 hours @ \$17.25/hour; 3 operators x 160 hours @ \$23/hour
3	Gravel Crusher Rental <sup>b</sup>	New Stu	\$5,250	\$350/day x 15 days
4	City Equipment Rental <sup>b</sup>	New Stu	\$31,200	Front End Loader/Backhoe: \$65/day x 160 hours; 350 Cat Dozer: \$65/day x 160 hours; Water truck: \$65/day x 160 hours
5	Dust Control Palliative - Polymer Emulsion	New Stu	\$58,593	14,361 l.f. of road x 12 ft. wide x \$.34/sq.ft. for emulsion
6	Polymer Emulsion Freight	New Stu	\$32,000	Estimated shipping cost
7	Gravel	New Stu	\$30,000	Locally sourced; Approximately 3,000 cu.yds. @ \$10/cu.yd.
8	Gravel Crusher Freight	New Stu	\$4,000	Estimated shipping cost from Anchorage
9	Fuel for Equipment	New Stu	\$32,000	\$50/hour x 640 hours of equipment operating time
10	Subtotal		\$215,123	
11	Tribal Indirect Costs <sup>a</sup>		\$17,867	10% of lines 2, 5, 6, 7, 8, 9
12	Total		\$232,990	

Additional Notes

- a. New Stuyahok Traditional Council does not have a federally negotiated indirect rate. They will use the 10% de-minimus rate referenced in 2 CFR 200.414
- b. Per 2 CFR 200.68 equipment and rental costs are excluded from the Modified Total Direct Cost.
- c. Budget per NOFO proposal submitted by New Stuyahok Traditional Council dated July 14, 2017.

FUNDING				
Line	Source	Award or Reference	Amount	Notes
13	Denali Commission	This Action	\$189,965	
14	New Stuyahok Local Match	This Action	\$43,025	20% of Line Item 10; \$31,200 in-kind contribution from the City and \$11,825 indirect funds from the Tribe
15	Total Funding Available As Of This Action		\$232,990	